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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/988,291      | 11/19/2001  | Michael J. Rothman   | 47004.000180        | 8456             |

21967 7590 10/20/2005

HUNTON & WILLIAMS LLP  
INTELLECTUAL PROPERTY DEPARTMENT  
1900 K STREET, N.W.  
SUITE 1200  
WASHINGTON, DC 20006-1109

EXAMINER

HAQ, NAEEM U

| ART UNIT | PAPER NUMBER |
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3625

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR /<br>PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|

09/988,291

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| EXAMINER |
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| ART UNIT | PAPER |
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20051012

DATE MAILED:

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Commissioner for Patents

***Response to Amendment***

***Notice of Non-Responsive Amendment, Bona Fide Attempt***

Applicants' amendment filed on July 26, 2005 is non-responsive. Currently amended claims 59-61, 63-66, 68-75, 77-80, 82-86, 108, 110-121, 124-127, and 130-132 are directed to an invention that is independent or distinct from the invention originally presented for the following reasons:

Inventions directed to the originally presented claims and the currently amended claims are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, the invention of the currently amended claims has separate utility such as a method and system that does not require a plurality of categories and sub-categories arranged in a hierarchy having a top-down taxonomy as required in the originally presented claims. See MPEP § 806.05(d).

The amendment filed on July 26, 2005 amending the claims drawn to the originally presented invention is non-responsive (MPEP § 821.03). The currently amended claims are not readable on the originally presented invention because of the reasons given above.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, Applicants are given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the

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omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naeem Haq whose telephone number is (571)-272-6758. The examiner can normally be reached on M-F 8:00am-5:00pm.

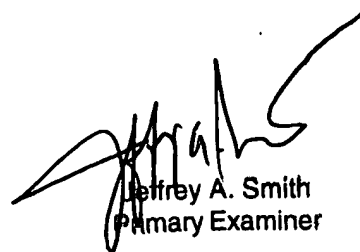
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn W. Coggins can be reached on (571)-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**Naeem Haq**, Patent Examiner  
Art Unit 3625

October 12, 2005



Jeffrey A. Smith  
Primary Examiner